

Application No.: 09/974,581

Docket No.: JCLA7934

**REMARKS**

**Present Status of the Application**

Claims 1-9 are now pending in this application. The Final Office Action objected claims 2 and 7 because of informalities. Claim 5 is rejected under 35 U.S.C. 102(a) as being anticipated by Chi et al. (IEEE conference proceedings, "Blind Equalization using cumulant based MIMO inverse filter criteria for multiuser DS/CDMA systems in multipath", hereinafter Chi). Claim 1-4 and 6-9 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Chi in view of Inouye et al. (IEEE paper, "Super-Exponential Algorithm for Multichannel Blind Deconvolution", hereinafter Inouye). It is believed that the foregoing amendments add no new matter to the present application. Reconsideration of those claims is respectfully requested.

**Discussion of Disqualification of the reference "Chi"**

The inventorship of this application is changed as Chong-Yung Chi and Chii-Horng Chen. The inventive entity of the patent application, "Chong-Yung Chi and Chii-Horng Chen" is not different than the entity "Chong-Yung Chi and Chii-Horng Chen" of the reference Chi. Therefore, Chi is no longer valid as 102(a)/103(a) prior art because applicants' disclosure of their own work within the year before the application filing date cannot be used against them under 102(a)/103(a).

As discussed above, Chi is removed as invalid. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

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**Discussion of Claim Rejection under 35 USC 102**

The Office Action rejected claim 5 under 35 U.S.C 102(a) as being under anticipated by Chi.

As discussed above, Chi is disqualified as 102(a) prior art. Accordingly, this rejection should be withdrawn.

**Discussion of Claim Rejection under 35 USC 103**

The Office Action rejected claim 1-4 and 6-9 under 35 U.S.C. 103(a) as being unpatentable over Chi and Inouye.

It is well established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue.

As discussed above, Chi is a reference published by joint inventors of this application, which means Chi is not qualified as a prior art under 35 USC 103 (a). Obviously, Inouye alone does not teach/disclose/suggest all features in all pending claims 1-9.

Consequently, the combination of Chi in view of Inouye does not render claims 1-4 and 6-9 obvious, and the rejection should be withdrawn. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

**Discussion of Claim Objection under 35 USC 103**

Claims 2 and 7 are objected to because of informalities. Applicants amend claims 2 and 7 to overcome the objections.

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**Prior Art Made of Record**

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

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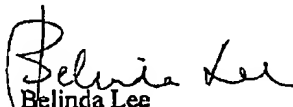
**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-9 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney.

Date :

*Sept. 28, 2005*

Respectfully submitted,

  
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